

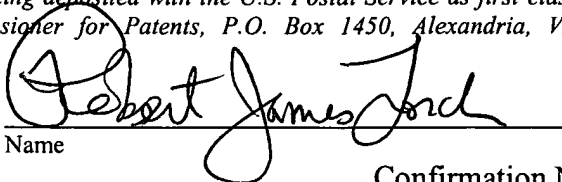
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PATENT

Date of Notice
of Allowance : March 14, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 24, 2006.


Name

Applicant : Yasunori Yomo, et al.

Confirmation No. 6817

Application No. : 10/814,618

Filed : March 30, 2004

Title : VERBENA PLANT NAMED 'SUNTAPILABU'

Grp./Div. : 1638

Examiner : Georgia L. Helmer

Docket No. : 52230/A400

AMENDMENT UNDER 37 CFR § 1.312

Mail Stop Issue Fee
Commissioner for Patents
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Pasadena, CA 91109-7068
April 24, 2006

Commissioner:

REMARKS/ARGUMENTS

Applicant submitted a August 11, 2004 IDS (enclosed), along with published articles under the heading "OTHER DOCUMENTS". The January 26, 2005 official Office action provided a copy of the IDS, but crossed out the 3 three publications under the heading "OTHER DOCUMENTS" on sheet 2 of 2. The April 22, 2005 amendment provided another copy of the IDS, and requested that these documents be initialed acknowledging receipt and consideration.

The Notice of Allowability dated March 14, 2006 did not acknowledge receipt, and instead stated that the art of record set forth in the Rule 105 mailed 13 July 2005 (apparently 13 September 2005) does not constitute prior art under § 102(b), because the publication date of this document is after the filing date of the application, 30 March 2004.